

MESSAGE NO: 0021301 MESSAGE DATE: 01/21/2010

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 7256001
MESSAGE #
(s):

CASE #(s): A-470-805

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 03/01/2005 TO 02/28/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR STAINLESS STEEL BAR FROM SPAIN
PRODUCED AND/OR EXPORTED BY SIDENOR INDUSTRIAL SL (A-470-805-000/005); CT.
NO. 07-00307

MESSAGE NO: 0021301

DATE: 01 21 2010

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 7256001

REFERENCE DATE: 09 13 2007

CASES: A - 470 - 805

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PERIOD COVERED: 03 01 2005 TO 02 28 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR STAINLESS STEEL BAR FROM
SPAIN PRODUCED AND/OR EXPORTED BY SIDENOR INDUSTRIAL SL
(A-470-805-000/005); CT. NO. 07-00307

1. ON 10/30/2009, THE U.S. COURT OF INTERNATIONAL TRADE ISSUED
A FINAL DECISION IN THE CASE OF SIDENOR INDUSTRIAL SL V. UNITED
STATES, COURT NO. 07-00307.

AS A RESULT OF THIS DECISION, THE INJUNCTION TO WHICH MESSAGE
7256001 REFERS ENJOINING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT
TO THE ANTIDUMPING DUTY ORDER ON STAINLESS STEEL BAR FROM SPAIN
FOR THE PERIOD 03/01/2005 THROUGH 02/28/2006 PRODUCED AND/OR

EXPORTED BY SIDENOR INDUSTRIAL SL DISSOLVED ON 12/29/2009.

2. FOR ALL SHIPMENTS OF STAINLESS STEEL BAR FROM SPAIN PRODUCED AND/OR EXPORTED BY SIDENOR INDUSTRIAL SL (A-470-805-005) AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 03/01/2005 THROUGH 02/28/2006, ASSESS AN ANTIDUMPING LIABILITY OF 62.85 PERCENT OF THE ENTERED VALUE. ENTRIES MAY HAVE BEEN MADE UNDER VARIOUS COMPANY-SPECIFIC CASE NUMBERS AND/OR A-470-805-000.

3. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 03/01/2005 THROUGH 02/28/2006. FOR ALL OTHER SHIPMENTS OF STAINLESS STEEL BAR FROM SPAIN YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES.

THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER.

INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O5: DV).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

ALICE J. BUCHANAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party